



RHODE ISLAND DEPARTMENT OF PUBLIC SAFETY
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Lieutenant Colonel Kevin M. Barry
Acting Director, Department of Public Safety
Acting Superintendent, Rhode Island State Police

Paul L. Andrews, Esq.
Chief Legal Counsel
Department of Public Safety

February 26, 2019

Liam Knox
MuckRock

RE: Public Records Request – Files on White Supremacist groups (Resist Marxism, Boston Free Speech, Patriot Prayer, Patriot Front and American Guard New Hampshire)

Dear Mr. Knox:

This office is in receipt of your request of February 13, 2019 directed to the Rhode Island State Police wherein you are seeking copies of various records relating to a specified list of political groups. Your request is governed by the Access to Public Records Act contained in R.I.G.L. Chapter 38-2. In response to a request for public records, an agency is required to make available for public disclosure those records that are responsive to a request, are in the possession of the agency and are not otherwise exempted from disclosure.

As to the portion of your request for records on “Joey Gibson” and “Kyle Chapman,” this serves to advise that there are multiple records with individuals having these names. In order to ensure that we are providing information responsive to the intent of your request, we are hereby requesting additional information, such as a date of birth or another personal identifier, before proceeding.

You also requested information regarding participation of the ‘aforementioned groups’ in the Providence Freedom Rally on October 6, 2018. Note that any such records, if maintained, are exempt from disclosure pursuant to Rhode Island General Law § 38-2-2(4)(D)(e) which excludes records which could reasonably be expected to interfere with investigations of criminal activity or with enforcement proceedings, along with records which would disclose techniques and procedures for law enforcement investigations or prosecutions. Additionally, Rhode Island General Law § 38-2-2(4)(A)(I)(b) exempts personnel and other personal individually-identifiable records otherwise deemed confidential by federal or state law or regulation, or the disclosure of which would constitute a clearly unwarranted invasion of personal privacy pursuant to 5U.S.C. 552, et. seq. Furthermore, as these records are exempt in their entirety under Rhode Island Law, no portions are segregable under Rhode Island General Law § 38-2-3(b).

As to the portion of your request seeking records for the listed political groups, you have not specified a timeframe for the search. We hereby request a reply indicating the timeframe. Additionally, in an abundance of caution, this Department hereby seeks an additional twenty (20) business days to respond due to the number of search terms provided. A staff member will need to be diverted from fulfilling their normal job duties in order to perform a diligent and thorough search. Each search terms provided

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will need to be performed separately and can take a significant amount of time, dependent upon the timeframe specified volume of responsive records.

Notwithstanding this extension, the time period for this Department to respond to your request is also tolled as of the date of this letter pending clarification of the aforementioned items in order to proceed.

Please feel free to contact me with any questions or to discuss this matter further.

Sincerely,

A handwritten signature in black ink, appearing to read 'P. L. Andrews', followed by a long horizontal flourish line extending to the right.

Paul L. Andrews, Esq.
Chief Legal Counsel